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Attorney's Docket No.: 12587-018001 / 01346-00/US

REMARKS

In the Action mailed March 29, 2005, the Examiner reopened prosecution in view of Applicant's Brief on Appeal filed February 18, 2005, and issued new rejections of all pending claims 1-36 (although no basis for the rejection of claims 24-26 was provided in the Detailed Action). Thereafter, the undersigned attorney and three representatives of the assignee of record conducted an interview on May 12, 2005 with the Primary Examiner, Mr. Yean-Hsi Chang, during which various cited prior art references and claims were discussed, as documented in the Examiner's May 17, 2005 Interview Summary. The undersigned attorney and the assignee of record wish to thank the Examiner for this courtesy. The Examiner's remarks have been taken into account in amending the claims, as discussed further below.

In this Amendment, Applicants have amended claims 1, 4, 10, 11 and 23, and have canceled claims 9, 17-22 and 29-34 without prejudice to pursue in a continuation application. As such, claims 1-8, 10-16 and 23-28 are pending in the present application. Applicants request reconsideration of the patentability of the pending claims in view of the amendments above and the following remarks.

Claim Amendments in View of Examiner Interview

Independent claims 1, 10 and 23 have each been amended, as suggested by the Examiner as noted in the Interview Summary, to apply the audio-only mode of operation to a system level to overcome the Kashida and Abbott references. In particular, Applicants have used the terminology of a "human-machine interface" in the claim, as suggested by the Examiner, to describe the interface at a system level. These claim amendments add no new matter.

Additional Claim Amendments

Claim 23 has been further amended to correct a typographical error. Claims 4 and 11 have been amended to address a claim objection, as discussed below. These claim amendments also add no new matter.

Claim Objections

The Examiner objected to claim 4, contending that the "audio-only user interface" lacks antecedent basis. Claim 4 has been amended to address the Examiner's objection, and

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Applicants ask that the Examiner remove his objection. In addition, because claim 11 presents a similar issue, Applicants have amended claim 11 similarly.

Claim Rejections – 35 USC § 102 and § 103

Claims 1-8

The Examiner rejected independent claim 1 under 35 U.S.C. § 102(e) as being anticipated by Kishida et al. (US 2002/0015008 A1), and rejected dependent claims 2-8 based on Kishida et al. alone or in combination with various other references. Applicants have amended claim 1 as discussed during the Examiner Interview, and contend that claim 1, as amended, defines an invention that is patentable over Kishida et al. and any other prior art of record. The fact that Applicants have distinguished claim 1 from Kishida et al. should not be taken as a concession that Applicants agree that Kishida et al. is prior art under any sub-section of 35 U.S.C. § 102.

Accordingly, Applicants ask that the Examiner remove his rejection of claim 1 based on Kishida et al.

Dependent claims 2-8 each depend either directly and indirectly from claim 1. The additional references relied upon in rejecting these dependent claims – namely, Anderson (claim 2), Sakurai (claims 3-6), and Abbott (claim 8) do not overcome the deficiencies of Kishida. As such, Applicants ask that the Examiner remove his rejection of these claims as well.

Claims 10-16

The Examiner rejected independent claim 10 under 103(a) as being unpatentable over Kishida et al. in view of Sakurai (US 4,825,384), and rejected dependent claims 11-16 based on the same combination or the same combination in view of a further reference. Applicants have amended claim 10 as discussed during the Examiner Interview, and contend that claim 10, as amended, defines an invention that is patentable over the combination of Kishida et al. and Sakurai, and any other prior art of record. As with claim 1, the fact that Applicants have distinguished claim 10 from Kishida et al. should not be taken as a concession that Applicants agree that Kishida et al. is prior art under any sub-section of 35 U.S.C. § 102.

Accordingly, Applicants ask that the Examiner remove his rejection of claim 10 based on the combination of Kishida et al. and Sakurai.

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Dependent claims 11-16 each depend either directly and indirectly from claim 10. The additional references relied upon in rejecting these dependent claims – namely, Anderson (claim 12) and Abbott (claim 16) do not overcome the deficiencies of the Kishida and Sakurai combination. As such, Applicants ask that the Examiner remove his rejection of these claims as well.

Claims 23-28

The Examiner rejected independent claim 23 and dependent claims 27-28 under 103(a) as being unpatentable over Abbott et al. (US 2002/0087545 A1) in view of Mills et al. (US 5,012,814). The Examiner indicated on the Office Action Summary that dependent claims 24-26 were rejected, but did not address these dependent claims in the Detailed Action; in particular, the Examiner offered no basis for why claims 24-26 are rejected; nor did the Examiner indicate the claims would be allowable if rewritten in independent form.

Applicants have amended claim 23 as discussed during the Examiner Interview, and contend that claim 23, as amended, defines an invention that is patentable over the combination of Abbott et al. and Mills et al., and any other prior art of record. The fact that Applicants have distinguished claim 23 from Abbott et al. should not be taken as a concession that Applicants agree that Abbott et al. is prior art under any sub-section of 35 U.S.C. § 102.

Furthermore, Applicants submit that each of dependent claims 24-26 include additional limitations that are also not disclosed or suggested by any prior art of record. Indeed, as mentioned above, the Examiner provided no basis for why these claims were rejected. As such, Applicants submit that each of these claims are patentable for the additional reason that the additional limitations these claims add are not disclosed or suggested by the prior art of record.

Accordingly, Applicants ask that the Examiner remove his rejection of claim 23 based on the combination of Kishida et al. and Sakurai, as well as his rejection of dependent claims 24-28.

Conclusion

Applicants submit that pending claims 1-8, 10-16 and 23-28 are in condition for allowance, and ask that the Examiner issue a notice of allowance.

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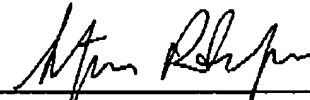
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It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Please charge Deposit Account No. 06-1050 in the amount of \$120.00 for the Petition for Extension of Time fee. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: July 28, 2005



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